

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Johannes Hubertus Wieringa

Application No.: 10/564,193

Confirmation No.: 7506

Filed: January 6, 2006

Art Unit: 1624

For: METHOD FOR THE PREPARATION OF
ENANTIOMERICALLY PURE MIRTAZAPINE

Examiner: Noble E. Jarrell

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 CFR 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment dated May 4, 2009, Applicants submit the present amendment (with arguments previously submitted in the Amendment dated October 8, 2008), wherein withdrawn claim 10 has been corrected to insert the text with it.

Applicants herein petition for a three-month extension of time and authorize the Commissioner to charge the extension fee of \$1110.00 to Deposit Account No. **50-4205**. If any additional fees are due to the submission of this Amendment, the Commissioner is hereby authorized to charge any additional required fees to Deposit Account No. **50-4205**.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.